

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
Plaintiff,) 8:23CR73
vs.)
FERNANDO MONTOYA-AMEZCUA,) ORDER
Defendant.)

This matter is before the court on the Unopposed Motion to Continue Trial [29]. Counsel needs additional time to complete plea negotiations and determine if this matter can be resolved without trial. For good cause shown,

IT IS ORDERED that the Unopposed Motion to Continue Trial [29] is granted, as follows:

1. The jury trial now set for September 5, 2023, is continued to **October 23, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 23, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED: August 22, 2023.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**